

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : William J. Farrell, Jr. Confirmation No.: 7235  
Serial No. : 10/696,583 Examiner: William V. Gilbert  
Filed : October 30, 2003 Group Art Unit: 3635  
For : WIRE MESH SCREED

DECLARATION OF WILLIAM J. FARRELL, JR.  
UNDER 37 C.F.R. 1.132

1. I, William J. Farrell, Jr., am over 18 years of age and competent to make this Declaration.
2. I one of the named inventors of the above-identified application, and the owner and operator of the assignee of the present application, MetRock LLC.
3. I have worked in the building and coating field for over 18 years and have recognized that prior to our invention, there existed a long-felt, yet unresolved need in the art for an affordable SCIP for use in residential and commercial building.
4. As pointed out in the application, finishing construction panels required skilled labor and was otherwise very time consuming and thus expensive. SCIPs were rarely used in the industry due to the cost, slowness, and skill necessary to properly finish the outer cementitious layers of the panel. Oftentimes, SCIPs had to be manufactured off-site and incurred the transportation cost and lag time off-site construction entails. I have been informed that every domestic SCIP business in the U.S. has failed over time.
5. The provision of screed ridges in the mesh members to serve as built in screeds has overcome the drawbacks in the art and met the long-felt, yet unresolved need for an affordable SCIP that does not require skilled labor. Specifically, the provision of the claimed screed ridges in the wire mesh

members solved this need in the art by allowing unskilled labor to assemble, spray, and finish SCIPs on-site.

6. I have been informed that commercial success is a factor that can help show the non-obviousness, or patentability, of the claims of a pending application. In this regard, the commercial embodiment, the MetRockSCIP, which employs wire mesh members having screed ridges as claimed in the pending claims, has garnered great interest in the industry and enjoyed commercial success. Specifically, the MetRockSCIP, although not yet patented, has already been the subject of two licensing agreements in the industry. As far as I know, there are no other SCIP inventors or inventions that have been approached for and secured licenses from builders in the industry.
7. I have also been told that unexpected results or benefits can also help show the non-obviousness, or patentability, of the claims of a pending application. In this regard, in addition to the intended goal of providing a cost-effective SCIP that requires no skilled labors to assemble or finish, the MetRockSCIP has garnered interest due to the unexpected advantages that they present including the fact that they may be made almost completely from recycled materials (as opposed to most buildings requiring new lumber, steel, drywall, and the like) and result in a structure that is bullet proof, termite proof, hurricane proof, tornado proof, fire proof, and resistant to earthquake and flood damage. The MetRockSCIP has the potential for providing safe and affordable shelter in areas of the world lacking skilled labor, lacking conventional building materials, lacking vast financial resources, and/or prone to gun violence or natural disasters.
8. Additional unexpected results and benefits of the present invention include not only the affordability of constructing buildings using the invention as opposed to conventional materials, but also the resultant lowering of utility bills through the energy efficiency of the panels and the lowering of insurance

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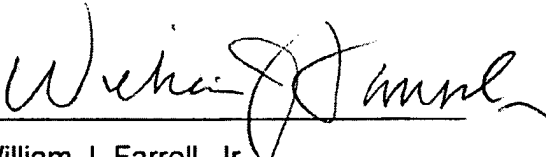
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rates due to the essentially impervious nature of structure made from the claimed panels.

9. All of these issues discussed above have been problems in the construction industry for a very long time and have gone unresolved until the present invention.

I make the following declaration to the best of my personal knowledge and belief with acknowledgement that willful false statements are punishable by fine or imprisonment, or both under 18 U.S.C. §1001 and may jeopardize the validity of any patent issuing thereon.

Dated this 10<sup>th</sup> day of December 2008.

  
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William J. Farrell, Jr.